

**UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

|  |   |  |
|--|---|--|
| In The Matter Of:                        | ) |  |
|  | ) | Case Number 13-43648-drd                 |
| Ora E Mott                               | ) |  |
|  | ) |  |
|  | ) | Chapter 13                               |
| Debtor,                                  | ) |  |
|  | ) | Objection to Confirmation filed by Green |
| Green Tree Servicing LLC, as authorized  | ) | Tree Servicing LLC, as authorized        |
| servicer for Fannie Mae, as owner and    | ) | servicer for Fannie Mae, as owner and    |
| holder of account/contract originated by | ) | holder of account/contract originated by |
| CTX Mortgage Company, LLC                | ) | CTX Mortgage Company, LLC                |
|  | ) |  |
| Creditor,                                | ) |  |
|  | ) |  |

**OBJECTION TO CONFIRMATION**

Comes now Green Tree Servicing LLC, as authorized servicer for Fannie Mae, as owner and holder of account/contract originated by CTX Mortgage Company, LLC by its attorney and for its objection to confirmation states as follows:

1. Green Tree Servicing LLC, as authorized servicer for Fannie Mae, as owner and holder of account/contract originated by CTX Mortgage Company, LLC is the holder of a Deed of Trust and Note secured by real property located at 1803 NE 72nd Terr, Gladstone, MO 64118. Said property is listed by the Debtor as an asset of the bankruptcy estate.

2. The pre-petition arrearages owed to Green Tree Servicing LLC, as authorized servicer for Fannie Mae, as owner and holder of account/contract originated by CTX Mortgage Company, LLC are \$694.01. The total pay off due to Green Tree Servicing LLC, as authorized servicer for Fannie Mae, as owner and holder of

account/contract originated by CTX Mortgage Company, LLC under the note is \$94,875.86.

3. The plan proposes to pay post petition payments directly to Creditor by Debtors. However, pursuant to the Standing Order entered September 30, 2008, all pre and post petition payments secured by real estate are to be paid from the Chapter 13 Plan payments for cases filed on or after October 1, 2008. The plan payment proposed would be insufficient to fund the arrearage listed in the claim, if the post petition payments to Creditor were to be made from the Chapter 13 Plan payments.

WHEREFORE, Green Tree Servicing LLC, as authorized servicer for Fannie Mae, as owner and holder of account/contract originated by CTX Mortgage Company, LLC prays confirmation of the plan filed by the Debtor be denied, that this case be dismissed for failure to propose a confirmable plan; and for such further orders as the Court deems just and proper.

Dated November 14, 2013

Respectfully Submitted,  
Millsap & Singer, LLC

/s/ William T. Holmes, II

Cynthia M. Woolverton, #47698, #47698MO, KSFD#21445  
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Attorneys for Green Tree Servicing LLC, as  
authorized servicer for Fannie Mae, as owner and  
holder of account/contract originated by CTX  
Mortgage Company, LLC

**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing document was filed electronically on November 14, 2013, with the United States Bankruptcy Court, and has been served on the parties in interest via e-mail by the Court pursuant to CM/ECF as set out on the Notice of Electronic filing as issued by the Court or in the alternative has been served by depositing a true and correct copy of same enclosed in a postage prepaid, properly addressed envelope, in a post office official depository under the exclusive care and custody of the United States Postal Service within the state of Missouri on those parties directed by the Court on the Notice of Electronic Filing issued by the Court as required by the Federal Rules of Bankruptcy Procedure and the Local Rules of the United States Bankruptcy Court.

/s/ William T. Holmes, II

**Electronic Mail Notice List**

The following is the list of attorneys who are currently on the list to receive e-mail notices for this case.

Jennifer E. Packard

Richard Fink

Office of the United States Trustee

**Manual Notice List**

The following is a list of parties who are not on the list to receive e-mail notices for this case (who therefore require manual noticing).

NONE